

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 977(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 977(b). This opinion has not been certified for publication or ordered published for purposes of rule 977.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

MARIA S. ALVAREZ,

Defendant and Appellant.

D037243

(Super. Ct. No. SCD155816)

APPEAL from a judgment of the Superior Court of San Diego County, Peter C. Deddeh, Judge. Affirmed.

Maria S. Alvarez pleaded guilty to making terrorist threats (Pen. Code, § 422)¹ and admitted a prison prior (§§ 667.5, subd. (b), 668). The court sentenced her to a stipulated 16-month prison term and imposed a \$200 restitution fine. Alvarez unsuccessfully moved to withdraw her guilty plea. She appeals.

¹ Statutory references are to the Penal Code.

DISCUSSION²

Appointed appellate counsel has filed a brief setting forth the facts and proceedings below. Counsel presents no argument for reversal but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. In accordance with *Anders v. California* (1967) 386 U.S. 738, counsel refers to the following possible but not reasonably arguable issues: (1) did the court properly allow the prosecution to amend the information to charge Alvarez with making terrorist threats; (2) was Alvarez advised of the consequences of pleading guilty and waived her constitutional rights before entering the plea; (3) did the court establish a sufficient factual basis for the guilty plea; (4) did Alvarez receive the stipulated sentence and a proper restitution fine; and (5) did Alvarez receive effective assistance of counsel?

We granted Alvarez permission to file a brief on her own behalf. She has not responded. A review of the entire record under *People v. Wende, supra*, including the possible issues referred to under *Anders v. California, supra*, has disclosed no reasonably arguable appellate issue. Alvarez has been competently represented by counsel on this appeal.

² Because Alvarez pleaded guilty, she cannot challenge the facts underlying the conviction. (§ 1237.5; *People v. Martin* (1973) 9 Cal.3d 687, 693.) Thus, we need not recite the facts. (*People v. Kwizera* (2000) 78 Cal.App.4th 1238, 1239-1240, fn. 1.)

DISPOSITION

The judgment is affirmed.

McDONALD, J.

WE CONCUR:

KREMER, P. J.

BENKE, J.